

Ordinance #750
BOROUGH OF HARRINGTON PARK
AMENDING THE ORDINANCE REQUIRING THE ISSUANCE OF
A CERTIFICATE OF CONTINUED OCCUPANCY FOR THE SALE OR TRANSFER
OF TITLE OF ANY RESIDENTIAL PROPERTY WITH MORE THAN 2 LIVING
UNITS

Whereas, the Borough of Harrington Park is desirous of providing for the health safety and welfare of all its residents;

Whereas, the Borough of Harrington Park is required by the Bergen County Utilities Authority (BCUA) to actively investigate and terminate illegal discharge into the common sewer system;

Whereas, the Mayor and Council of the Borough of Harrington Park have determined that these common objectives of providing for health, safety and welfare along with the prevention of illegal discharge into the county sewerage system can be accommodated by and through the implementation of an inspection upon a change in ownership or occupancy of the premises;

Now Therefore Be It Ordained by the Mayor and Council of the Borough of Harrington Park that the following Certificate of Continued Occupancy Ordinance is hereby adopted and set forth as follows:

Residential Certificate Required

No person shall occupy, rent, lease, transfer title, or inhabit as a tenant or tenants of any residential property with more than 2 units or commercial use until the current owner or representative of such owner (including an attorney representing the owner or prospective purchaser of such property) has applied for and secured a certificate of Continued Occupancy from the Building Department of the Borough of Harrington Park. The provisions herein shall be in addition to those contained in S 118-1 et. Seq. of the Code Book.

Conditions

An inspection shall be conducted to insure applicable municipal ordinances affecting the use and occupancy of the premises had been reasonably maintained and that there are no, [including ordinances governing sidewalks] plumbing/sump pump or cross infiltration of sanitary sewers as well as inspection of work for which a Uniform Construction Code Permit was issued.

[In addition and concurrently with this inspection shall be an inspection by the Harrington Park Fire Prevention Bureau for which smoke detectors and carbon monoxide detectors shall be inspected.]

Responsibility of Owner for Application

The current owner, landlord, prospective buyer/tenant or any agent of any residential

property containing more than 2 units or commercial premise, about to be sold, transferred or newly occupied shall apply for a CCO provided by the Harrington Park Building Department.

Temporary Certificate of Continued Occupancy

A temporary certificate of continued occupancy may be issued at the request of the owner, landlord, prospective buyer/tenant or any agent tear of provided that a suitable escrow is established to cover any and all requested conditions for the issuance of a CCO. Escrow monies will be held in the accounts of either of the respective attorneys for the seller or buyer [or if no attorney is involved then with the Chief Financial Officer of the Borough]. No temporary CCO shall exceed 90 days unless extenuating circumstances are shown.

Enforcement

Upon receipt and review of a complete application by the Construction Official, or his lawful designee an inspection shall be conducted within 21 days of the property and a CCO shall issue or a written report stating the reasons for its denial shall issue.

Fee

A nonrefundable fee of \$100 is required for the sale and/or change of occupancy of any commercial premise or single-family home. The fee for issuance of a CCO for an apartment will be \$50. This fee shall be in addition to any other fees that may be required for fire inspection purposes.

Violations and Penalties

Any person or entity who violates any of the provisions of this section shall be subject to a penalty as set forth in chapter 164, fines and penalties

First Reading and Introduction January 19, 2021
Public Hearing, Second Reading and Adoption, Scheduled for February 16, 2021